IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 19268 of 2004

Between:

M.S.Chinna Krishna Swamy,

S/o late M.Srinivasa Mudaliar,
R/o South Mada Street,

Tirupati,

Chittoor District.

..... PETITIONER

AND

1 Regional Transport Authority,

rep., by its Secretary,

Chittoor,

Chittoor District
2 Deputy Transport Commissioner & Secretary,

Regional Transport Authority,

Chittoor,
Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, preferably one in the nature of writ of mandamus, declaring the action of the respondents in not considering and disposing

of petitioner's application dated 9-11-2002 in R.No.17780/A1/02 together with the application dated 8-10-2004 in R.No.29476/B1/04 for replacement of existing Vehicle ATC 1595 with the proposed vehicle TN.32/N.0387 to produce the valid records for renewal of Permit PSP No.38/A1/81 on the town service route-Tirupati to K.L.Hospital (via) Municipal Office etc., as arbitrary, illegal and contrary to law and consequently direct the respondents to consider and dispose of the said applications of the petitioner forthwith while directing the 2nd respondent to issue temporary permit under Sec.87(d) of M.V.Act 1988 to operate the proposed vehicle TN.32/N.0387 on the said route, pending grant of replacement of vehicle.

Counsel for the Petitioner: Mr. V.NARASIMHA REDDY

Counsel for the Respondents: GP FOR TRANSPORT

The Court at the admission stage made the following ORDER:

The petitioner is a bus Operator. He contends that he made an application to the 2nd respondent on 9-11-2002 and another application on 8-10-2004 for replacement of the existing vehicle, ATC.1595 with the proposed vehicle, TN.32/N. 0387. The grievance of the petitioner is that the 2nd respondent, so far did not pass any orders on his application. He therefore, approached this Court seeking a direction to the 2nd respondent to dispose of the said applications filed by him.

In the light of the circumstances explained by the petitioner, the 2nd respondent is directed to pass appropriate orders on the application of the petitioner dated 9-11-2002 for replacement of the vehicle, followed by another application dated 8-10-2004 according to rules within four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of.

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(Dr. G.YETHIRAJULU,J)

14th October, 2004.

Note: Furnish C.C. in two days.

B/o

Tsy/cs

To

1 The Secretary,

Regional Transport Authority,

Chittoor,

Chittoor District

2 The Deputy Transport Commissioner & Secretary,

Regional Transport Authority,

Chittoor,
Chittoor District.

3. Two CCs to the GP for Transport, High Court of A.P.,

Hyderabad (O.U.T.).

4. Two CD Copies.